

78-3831/3

OGC Has Reviewed

12 OCT 1978

STAT MEMORANDUM FOR: [REDACTED]
Assistant General Counsel

STAT FROM: [REDACTED]
Assistant for Information, DDA

SUBJECT: S.2525 - Proposed Intelligence Charter Legislation -
Title IV, CIA - Definition of "United States" for
Travel Allowances and Benefits Purposes

1. Pursuant to your memorandum of 11 September 1978, set forth below are suggestions for the definition of "United States" for travel allowances and benefits purposes in connection with charter legislation.

(2) The term "United States" means the 50 States and the District of Columbia.

(3) The term "nonforeign areas" means the Commonwealth of Puerto Rico, the Canal Zone, the Commonwealth of the Northern Mariana Islands, and the territories or possessions of the United States, but does not include the Trust Territories of the Pacific Islands.

(4) The term "foreign areas" means the Trust Territory of the Pacific Islands and any other area outside of the "United States" and the "nonforeign areas" specified above.

STAT 2. [REDACTED] advises me that he and [REDACTED] have been working with an inter-Agency group, one of the purposes of which is to come up with a definition of "United States," and it appears that the above suggested language will be quite close to the eventual product that group will decide upon. You might want to check further with Jim, particularly in light of your subsequent 11 October memo on the same subject.

STAT

Signed

[REDACTED]

STAT

cc: Director of Finance
Director of Personnel
SSA/DDA

STAT

Approved For Release 2003/03/06 : CIA-RDP86-00101R000100070005-2

Approved For Release 2003/03/06 : CIA-RDP86-00101R000100070005-2

OGC 78-6754
11 October 1978

78-3831/2

MEMORANDUM FOR : Assistant for Information/DDA

STAT FROM :
Assistant General Counsel

SUBJECT : S.2525 - Proposed Intelligence Charter
Legislation - Title IV, CIA - Definition
of "United States"

REFERENCE : DD/Pers Memo to AI/DDA, Same Subject,
Dated 28 September 1978

1. Subsequent to receiving the referenced memorandum, I discussed the definition of "United States" utilized for travel allowance and benefit purposes in Section 441(a)(3) of Title IV of S.2525 with Keith Raffel of the Senate Select Committee on Intelligence staff. I suggested the definition be "finesse," as is recommended in that memorandum, or that references to the Standardized or Federal Travel Regulations be substituted.

25X1

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2. As for the definition of "employee" in Section 441(a)(1) which is questioned in the referenced memorandum, it is precisely the intent of this definition to allow the Agency to determine by contract whether contractors are "employees." This is intended to remedy the current situation which, as I understand it, requires contractors to be treated as "employees" because of the nature of the relationship and the absence of authority to do otherwise.

STAT

STAT

cc: OGC



6 October 1978

MEMORANDUM FOR: Assistant for Information/DDA

STAT
FROM:

[REDACTED]
Deputy SSA-DDA

SUBJECT: S. 2525 - Proposed Intelligence Charter
Legislation - Title IV, CIA - Definition
of "United States" for Travel Allowances
and Benefits Purposes

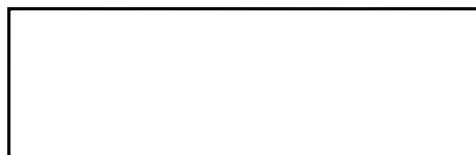
1. Following are recommended definitions for Section 441(a) of the proposed Intelligence Charter legislation; these definitions represent joint input from SSA-DDA and the Office of Finance:

(2) The term "United States" means the 50 States and the District of Columbia.

(3) The term "nonforeign areas" means the Commonwealth of Puerto Rico, the Canal Zone, the Commonwealth of the Northern Mariana Islands, and the territories or possessions of the United States, but does not include the Trust Territories of the Pacific Islands.

(4) The term "foreign areas" means the Trust Territory of the Pacific Islands and any other area outside the "United States" and the "nonforeign areas" specified above.

2. It is possible that the status of the Canal Zone could change as a result of the recent Treaty.



STAT

OGC 78 - 6567
10-3-78

28 September 1978

DD/A Registry

78-38311

MEMORANDUM FOR: Assistant for Information, DDA

STAT

FROM : [redacted]
Deputy Director of Personnel for Plans
and Control

SUBJECT : Definition of "United States"

REFERENCES : (a) Multi adse memo fr AI/DDA dtd 21 Sep 78,
same subject
(b) Memo for AI/DDA fr OGC dtd 11 Sep 78,
subject: S. 2525 et al.

1. Without attempting to draft the appropriate language for the travel benefits section of the Charter Legislation, we recommend the Department of State practice in the FAMs be followed and specific definitions for "United States" and variations thereof be finessed. The definitions for "continental United States", the "United States", and the clarification between foreign and nonforeign are all basic to determining the various entitlements associated with travel; and if one definition is included, all are necessary to avoid future confusions. As an example, the present language excludes Guam from the "United States", in effect putting it into the "foreign" definition; however, by Executive Order it is a nonforeign area. (See FPM 591, Subchapter I which defines nonforeign areas for the purposes of allowances and differentials.)

2. If it is felt a mention of definitions is necessary, a reference to the Standardized Regulations and the Federal Travel Regulations should suffice. The FTRs and the SRs have basically the same definitions for "continental United States" and "foreign areas", and these track with Title 5, Chapters 57 and 59, U.S.C. The FTRs, however, expand the SR and Title 5 definitions of the "United States" by adding "territories and possessions". The expansion presumably provides for the allowances paid under the provisions of Title 5, Chapter 5941, U.S.C., essentially the nonforeign areas cost of living allowances. A simple reference to SRs and FTRs has the advantage of incorporating future changes (e.g., the Commonwealth of the Northern Mariannas) without requiring statutory amendments to the Charter Legislation which, perhaps, could be otherwise necessary.

3. While references are not addressed to the definition of employees, we assume the problem with this wording is still under discussion. We find the present version sufficiently ambiguous as to cause possible problems for contract personnel and with staffers appointed at or from an overseas location. If the intent of the phrase "unless otherwise indicated" is to allow the Agency to determine who gets employee benefits, we might suggest the definition be deleted, along with the "United States", et al., and the references thereafter be to "personnel", relying on the definition of employee in Title 5, Chapters 57 and 59.



STAT

AI/DDA (2 Oct 78)

Distribution:

Original - OGC
1 - SSA
1 - OF
1 - AI/DDA

DDA 78-3831

21 SEP 1978

MEMORANDUM FOR: Director of Finance
Director of Personnel
Special Support Assistant, DDA

STAT

FROM: [redacted]

SUBJECT: Definition of "United States"

1. In the attached memorandum [redacted] raises a question about the several available definitions of "United States" for travel allowance purposes. As he notes, this directorate has indicated on several occasions that any definition of "United States" in the charter legislation should be consistent with other existing definitions. His problem arises from his discovery that there are several existing definitions.

STAT

2. Would you please review [redacted] memorandum and its attachments, and give me the benefit of your thoughts on what the Agency should seek in the way of a workable definition to be included in the charter legislation.

STAT

3. It would be a help if I could have your comments by Wednesday, 27 September. If that date is not convenient, please let me know when I can expect a response.

STAT

Attachment: a/s



Distribution:

- Original - D/Finance w/att
- 1 - Ea. other adse w/att
- AI Subject w/att (S.2525)
- 1 - AI Chrono

STAT

AI/DDA [redacted] ydc (21 Sep 78)

OGC 78-5994
11 September 1978

MEMORANDUM FOR : Assistant for Information/DDA

STAT FROM : [REDACTED]
Assistant General Counsel

SUBJECT : S.2525 - Proposed Intelligence Charter
Legislation - Title IV, CIA - Definition
of "United States" for Travel Allowances
and Benefits Purposes

1. Agency components in the DDA, including the offices of Finance and Personnel, have commented on more than one occasion during the past several months to the effect that the definition of "United States" included in Section 441(a)(3) of Title IV as the basis for determining travel and other allowances and benefits should be made to conform to the definition of that term as it appears in the Federal Travel Regulations, or the Standardized Regulations, or the Foreign Affairs Manual, etc.

2. As now defined in 441(a)(3), "United States" would mean, for these purposes:

... the several states, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and the Canal Zone, but does not include Guam and other territories and possessions of the United States.

Many variations of this definition have been suggested as improvements, the latest of which would substitute "the Commonwealth of Northern Mariana Islands and the" for all between "Puerto Rico" and "territories."

3. Recently, I requested the OGC Librarian to provide the sources cited as the basis for these alternative definitions in order to determine what exactly this definition should include. I have found the following:

a. The Standardized Regulations definitions ("Allowances," §040, 11/26/72) (copy attached), provide that "United States when used in a geographical sense, means the several states of the United States of America, but including Alaska and Hawaii, and the District of Columbia." However, these regulations also include an almost identical definition of "Continental United States," and define "foreign area" to mean "any area

(including the Trust Territory of the Pacific Islands) situated outside the United States, the Commonwealth of Puerto Rico, the Canal Zone, and the possessions of the United States" and, in certain circumstances, the Midway Islands. The sum total appears to be that travel, etc., allowances may differ depending upon whether the activity is in the U.S., in a nonforeign area, or in a foreign area.

b. The Federal Travel Regulations definitions (Appendix B, Glossary of Terms, 11/1/77) (copy attached), provide that "United States" includes "the 50 states, District of Columbia, territories and possessions." Also defined are "Continental United States" (the 48 contiguous states and D.C.), and "foreign area" (the Trust Territory of the Pacific Islands, and any other area outside the U.S., the Commonwealth of Puerto Rico the Canal Zone, and territories and possessions of the U.S.).

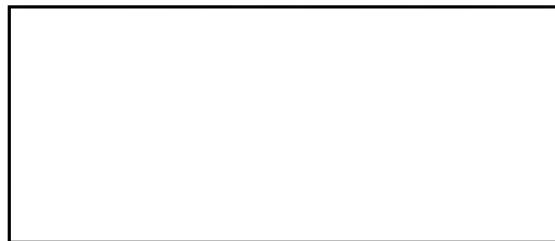
c. Apparently, the Foreign Affairs Manual (copy attached) does not contain independent definitions, but does prescribe different rates of allowances according to the three categories described in a above.

4. Thus, it appears there is no single, agreed-upon, and readily-available federal definition of "United States" for travel allowance purposes. This conclusion, however, could be based upon my lack of familiarity with this entire, complex area. In any event, I would appreciate some consensus guidance from the appropriate components as to what terms should be included in such a definition in Title IV, and why.

STAT

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cc: [redacted]



040 DEFINITIONS

The following definitions apply to all chapters of these regulations, unless waived or modified in specific instances. Supplementary definitions which apply to specific chapters or sections only will be found in the General Provisions of those chapters and subchapters.

- a. "United States" when used in a geographical sense, means the several States of the United States of America, including Alaska and Hawaii, and the District of Columbia.
- b. "Continental United States" means the several States of the United States of America, excluding Alaska and Hawaii, but including the District of Columbia.
- c. "Government" means the Government of the United States of America.
- d. "Government agency" means (1) each executive department of the Government, (2) each independent establishment or agency in the executive branch of the Government, including each corporation wholly owned (either directly or through one or more corporations) by the Government, (3) the General Accounting Office, and (4) the Library of Congress.
- e. "Head of agency" means either the head of a government agency or anyone designated by him to make determinations in his behalf.
- f. "Foreign area" means any area (including the Trust Territory of the Pacific Islands) situated outside the United States, the Commonwealth of Puerto Rico, the Canal Zone, and the possessions of the United States. With respect to teachers defined in subsection n. hereof, "foreign area" also includes the Midway Islands.
- g. "Country of assignment" means the country listed in column 1, section 920, in which the employee's post is located.
- h. "Post" means the place designated as the official station of the employee, regardless of whether he is detailed elsewhere or resides at another place with the authorization or approval of the head of his agency. (See also Sec. 061.)
- i. "Employee" means an individual employed in the civilian service of a government agency (including ambassadors, ministers, and officers of the Foreign Service of the United States under the Department of State) who is
 - (1) a citizen of the United States;
 - (2) officially stationed in a foreign area, except as otherwise specifically provided in these regulations;
 - (3) receiving basic compensation (See Sec. 040k); and
 - (4) eligible for allowances or differential under sub-chapter 030.

No sex discrimination is implied or intended through use of male pronouns which may appear in these regulations.

GLOSSARY OF TERMS

1. **GENERAL.** An explanation of the meaning of certain terms as used in this Volume is provided in this Appendix. Generally, the terms are in alphabetic order according to the key word in the term with appropriate alphabetic cross references.

2. DEFINITIONS

ACCOMMODATIONS. Seat space, berths, roomettes, bedrooms, staterooms on transportation facilities.

ACCOMMODATIONS:

Air Coach or Air Tourist. A type of accommodation available on commercial aircraft at rates lower than first class or premium class accommodations.

Coach or Chair Car (Rail). A type of accommodation, not affording sleeping facilities, at a lesser rate than first class accommodations (parlor car seat).

Lowest First Class. The lowest cost accommodations offered by commercial carriers to the general public as first class.

Security (Enclosed). Any private room space that can be locked for security purposes.

ACTUAL PLACE OF RESIDENCE. The fixed or permanent domicile of a person that can be reasonably justified as a bona fide place of actual residence.

AGREEMENT. A written agreement signed by a person selected for appointment, or by an employee, prescribing the required period of service and other conditions related with transportation entitlement in connection with permanent duty travel. It is a statutory requirement. Different kinds of agreements are prescribed.

BAGGAGE. Personal effects of a traveler that are needed in connection with official travel and immediately upon arrival at point of assignment. Material belonging to the Government

may be included. Baggage may accompany a traveler or be transported separately. Accompanied baggage consists of coats, brief cases, suitcases, and similar luggage that accompanies a traveler free under carrier's tariffs on a transportation ticket. Unaccompanied baggage includes personal effects authorized for separate transportation at Government expense. Unaccompanied baggage when justified in connection with an extended temporary duty assignment is limited to the necessary personal clothing and effects for the employee and equipment directly related with the assignment. Unaccompanied baggage in connection with permanent duty and renewal agreement travel may consist of personal clothing and equipment, essential pots, pans, and light housekeeping items; collapsible items such as cribs, playpens, and baby carriages; and other articles required for the care of dependents. Such items as refrigerators, washing machines, and other major appliances or furniture will not be included in unaccompanied baggage. Unaccompanied baggage that is transported in the hold of a ship may be referred to as "hold" baggage. There are size and weight limitations.

COMMERCIAL TRANSPORTER. The term "commercial transporter" means a transporter who is operating pursuant to the Interstate Commerce Act in interstate commerce or under appropriate State statutes in intrastate commerce.

COMMON CARRIER. See Transportation.

COMMUTED RATE. A constructive rate allowance in lieu of actual expenses incurred in connection with transportation and temporary storage of household goods and personal effects. Also see Mileage Allowance.

CONTINENTAL UNITED STATES. The 48 contiguous states and the District of Columbia.

★ DEDUCTIBLE MEALS. Meals consumed by an employee when furnished with or without charge incident to an official assignment by sources other than a Government mess. Such sources include but are not limited to the following:

1. local or state governments;
2. foreign governments;
3. other United States Government agencies, excluding the Uniformed Services;
4. United States Government contractor when meals are furnished under terms of a contract;
5. private, professional, technical, fraternal, civic, or similar organization in connection with activities sponsored or conducted by the organization;
6. meals furnished while attending a function paid for from contingency or other appropriated or nonappropriated funds.

Meals furnished on commercial aircraft or by private individuals are not considered deductible meals.

DEPARTMENT OF DEFENSE COMPONENTS. Department of Defense components include the Office of the Secretary of Defense (including the organization of the Joint Chiefs of Staff), Defense Nuclear Agency, Defense Communications Agency, Defense Contract Audit Agency, Defense Intelligence Agency, Defense Supply Agency, National Security Agency, Defense Investigative Service, Defense Joint Tactical Communications (TRI-TAC) Office, Defense Mapping Agency, Defense Civil Preparedness Agency, Defense Advanced Research Projects Agency, Department of the Army, the Department of the Navy (including the Marine Corps), and the Department of the Air Force.

DEPENDENT. Any of the following named members of the employee's household at the time he reports for duty at his new permanent duty station or performs authorized or approved overseas tour renewal agreement travel or separation travel:

1. spouse;
2. children of the employee or employee's spouse who are unmarried and under 21 years of age or who, regardless of age, are physically or mentally incapable of self-support (The term "children" shall include natural offspring; stepchildren; adopted children; and grandchildren, legal minor wards, or other dependent children who are under legal guardianship of the employee or employee's spouse.);
3. dependent parents (including step and legally adoptive parents) of the employee or employee's spouse; and
4. dependent brothers and sisters (including step- and legally adoptive brothers and sisters) of the employee or employee's spouse who are unmarried and under 21 years of age or who, regardless of age, are physically or mentally incapable of self-support.

Generally, the individuals named in items 3 and 4 will be considered dependents of the employee if they receive at least 51% of their support from the employee or employee's spouse; however, this percentage of support criteria shall not be the decisive factor in all cases. These individuals may also be considered dependents for the purpose of this definition if they are members of the employee's household and, in addition to their own income, receive support (less than 51%) from the employee or employee's spouse without which they would be unable to maintain a reasonable standard of living. In connection with the Missing Persons Act, "dependent" is defined in par. C6101-1 for purposes of transportation eligibility under that Act. NOTE: Entitlement to travel of dependents as cited in this definition is applicable for employees whose effective date of transfer is on or after 1 June 1977.

EFFECTIVE DATE OF PERMANENT CHANGE-OF-STATION ORDERS. The effective date of a permanent change-of-station order is the date the employee is required to commence travel to

comply with his orders. In determining the effective date, authorized leave, or temporary duty en route required by the orders is excluded.

EFFECTIVE DATE OF TRANSFER OR APPOINTMENT. For the purpose of these regulations, the date on which an employee or new appointee reports for duty at his new or first permanent duty station.

(Effective 1 April 1978)

★**EMPLOYEE.** The Secretary of Defense, Department of Defense officials, or any other individual employed in or under the Department of Defense. This definition also includes an individual employed intermittently as an expert or consultant and paid on a daily when actually employed (WAE) basis and an individual serving without pay or at \$1 a year (5 U.S. Code 5701(2)).

 **FOREIGN AREA.** The term "foreign area" means the Trust Territory of the Pacific Islands, and any other area outside the United States, the Commonwealth of Puerto Rico, the Canal Zone, and territories and possessions of the United States.

GEOGRAPHICAL LOCALITY. The contiguous political area of a single country or a related island group in the same region; however, widely dispersed non-contiguous sub-divisions of the same country are separate geographical localities. For example: the United Kingdom (including England, Wales, Scotland, and Northern Ireland) is a geographical locality and Ireland (Republic of) is a separate geographical locality; France and Germany are separate geographical localities; Portugal and the Azores are separate geographical localities; the Philippine Islands are the same geographical locality. Japan, including its separate island components, with the exception of the Ryukyu Islands, is a separate

geographical locality. The Ryukyu Islands are a separate geographical locality. With regard to the United States, continental United States is a single geographical locality, but Hawaii (the Hawaiian Islands), Alaska, and each United States territory or possession are separate geographical localities. When the term "overseas area" is used, it relates to more than one geographical locality and may include a continent, or the area comprising command jurisdiction, or the entire area outside the continental United States.

GOVERNMENT. The Government of the United States and the Government of the District of Columbia.

GOVERNMENT MESS. Any of the following, provided it is utilized by the employee concerned, even though a charge is assessed therefor:

1. any general or service organizational mess;
2. any Army or Air Force officers' or student officers' field mess;
3. a Navy, Marine Corps, or Coast Guard officers' closed mess; or an officers' wardroom mess or warrant officers' and chief petty officers' mess afloat;
4. box lunches, in-flight meals, or rations furnished by the Government on military aircraft (in-flight snack meals purchased at the employee's option prior to boarding a military aircraft, for consumption aboard such aircraft, are not considered to be meals furnished by a Government mess).

Meals furnished by commercial air carriers on a "courtesy basis" are not considered to be meals furnished by a Government mess.

GOVERNMENT QUARTERS. Sleeping accommodations in a facility (other than a mode of transportation) operated under United States

Government control or supervision; or furnished by a foreign government under agreement or on a complimentary basis in behalf of the United States; or furnished by a Government contractor under the terms of a contract or on a complimentary basis. Government quarters include guest houses, officers clubs, operations hotels, bachelor officers quarters, visiting officers quarters, or similar quarters facilities located at a military activity; quarters in a state-owned National Guard camp; sleeping facilities in a National Guard armory; quarters aboard a Corps of Engineers floating plant and a Navy Mine Defense Laboratory offshore platform. Also included are family type quarters owned or leased by the United States Government, whether occupied as a guest or as a principal. Standards of adequacy are prescribed by the Office, Secretary of Defense, and implemented by appropriate regulations of the Service concerned.

GOVERNMENT TRANSPORTATION. See Transportation.

HOUSEHOLD GOODS. Whenever the term "household goods" is used in this Volume, it includes household goods and personal effects. Household goods and personal effects include furnishings, furniture, appliances, clothing, technical and professional books and equipment, and other household property of a similar nature belonging to an employee (and dependents) at the time of authorized shipment or storage or on the effective date of the permanent change-of-station orders, whichever is earlier. Items that are not allowed as household goods and personal effects are the following:

1. airplanes;
2. automobiles, station wagons, and trucks (except in connection with missing persons);
3. birds, pets, and livestock;
4. boats, boat trailers, and outboard motors;
5. building materials;
6. cordwood;
7. mobile homes and camper trailers;

8. motorcycles, motor scooters, and passenger carrying snowmobiles;
9. property belonging to any person other than the employee and his dependents;
10. property primarily for resale or disposal;
11. property intended for use in conducting a business or other commercial enterprise.

INVITATIONAL TRAVEL. See Travel.

ITINERARY, VARIATION IN. A change in routing of travel or points of temporary duty in connection with official business, justified by the nature and requirements of a mission and not for the sole convenience of the traveler.

MAC. Military Airlift Command.

MANPOWER SHORTAGE POSITIONS. Positions within the United States, excluding territories and possessions, for which the Civil Service Commission has determined there is a manpower shortage (see FPM 571-A) and positions for which higher salary rates have been established by the Civil Service Commission (see FPM 530-A). No position filled by Presidential appointment is considered a manpower shortage position.

MILEAGE. Statute miles.

MILEAGE ALLOWANCE. A rate per mile in lieu of actual expenses of operation of a privately owned conveyance or in connection with movement of a mobile home. Certain restrictions and conditions are prescribed in this Volume about the allowable reimbursement amount.

MOBILE HOME. All types of house trailers and mobile dwellings constructed for use as a residence and designed to be moved overland, either by being self-propelled or towed.

MSC. Military Sealift Command.

OPEN MESSES. Nonappropriated fund activities established to provide services essential to

messing, billeting, and recreation of officers, warrant officers, noncommissioned officers, and their dependents.

OVERSEAS. Outside the continental United States. However, with respect to Alaska, Hawaii, and the territories and possessions of the United States, or foreign countries and similar geographical localities, the term, for permanent duty travel purposes, means an overseas place of employment outside the geographical locality in which the place of residence is located.

PER DIEM ALLOWANCE. A flat daily allowance for employees or persons while traveling or on a temporary duty assignment on official business. It is intended to offset the necessary subsistence costs of travel and assignment not otherwise reimbursable. It is to compensate for the expense of meals; lodging; personal use of a room during daytime; baths; all fees and tips to waiters, porters, baggagemen, bellboys, hotel maids, dining room stewards and others on ships, and hotel servants in foreign countries; telegrams and telephone calls reserving hotel accommodations; laundry; cleaning and pressing of clothing; fans and fires in rooms; items and articles for personal comfort and appearance; and transportation between places of lodging or business and places where meals are taken (except as otherwise provided in this Volume). The term "lodging" does not include accommodations on airplanes, trains, or ships which expenses are not subsistence expenses. (The availability of such accommodations will be taken into consideration in the fixing of per diem rates.)

PERMANENT DUTY STATION. For the purpose of determining permanent duty travel allowances, a permanent duty station is the building or other place (base, post, or activity) where an employee regularly reports for duty. With respect to entitlement under these regulations relating to the residence and the household goods and personal effects of an employee, permanent duty station also means the residence or other quarters from which the employee regularly commutes to and from work,

except where the permanent duty station is in a remote area where adequate family housing is not available within reasonable daily commuting distance. In the latter situation, residence includes the dwelling where the dependents of the employee reside or will reside, but only if such residence reasonably relates to the permanent duty station as determined by the appropriate travel approving official. For purposes other than permanent duty travel allowances, a permanent duty station is defined as the designated post of duty or official station, the limits of which are the corporate limits of the city or town in which the employee is stationed. If not stationed in an incorporated city or town, the official station is the reservation, station, or established area, or, in the case of large reservations, the established subdivision thereof having definite boundaries within which the permanent duty station is located.

PERMANENT DUTY TRAVEL. Permanent duty travel includes first duty station travel for a newly recruited employee or appointee, renewal agreement travel, permanent change-of-station travel, and separation travel. See Chapter 4, Part A.

POST OF DUTY. See Permanent Duty Station.

PRIVATELY OWNED CONVEYANCE. See Transportation.

PRIVATELY OWNED MOTOR VEHICLE. For the purpose of shipment, "privately owned motor vehicle" and "privately owned vehicle" means a motor vehicle not owned by the Government which is in the possession of and used by the employee and/or his immediate family for the primary purpose of providing personal transportation. Excluded are trailers, airplanes, or any vehicle intended for commercial use.

RENEWAL AGREEMENT TRAVEL. See Permanent Duty Travel.

SEPARATE DEPARTMENT. Separate departments (or agencies) of the Executive branch of the Federal Government. Within the Department of

Defense the terms "Separate Departments" or "Separate Military Departments" means separately the Office of the Secretary of Defense and Defense agencies, the Department of the Army, the Department of the Navy, and the Department of the Air Force. This distinction is necessary with regard to funding for travel and transportation from one separate department to another.

SEPARATION TRAVEL. See Permanent Duty Travel.

SPECIAL CONVEYANCE. Any method of transportation other than common carrier, Government-furnished or privately owned, which requires specific authorization or approval for the use thereof (generally includes conveyances obtained through commercial rental for less than 30 days).

SUBSISTENCE EXPENSES. When actual subsistence expense reimbursement is involved, items of subsistence expenses are the same as those included under Per Diem Allowance.

TEACHER. A civilian who is a citizen of the United States and whose services are required on a school year basis in a teaching position subject to 20 U.S. Code 901-907 in the Department of Defense Overseas Dependents School System.

TEMPORARY DUTY STATION. The location of an activity, area, or place of duty to which an employee is assigned temporarily in connection with Government business and from which he will proceed or return to his permanent duty station.

TEMPORARY DUTY TRAVEL. Travel to one or more places away from a permanent duty station to perform duties for a temporary period of time and upon completion of assignment return or proceed to permanent duty station.

TRANSPORTATION. All modes of transportation, accommodations, shipment and storage of

property, fares and expenses incident to transportation. The term also includes certain fees for the purpose of reimbursement relating to overseas assignments.

TRANSPORTATION:

Accommodations. See Accommodations.

Common Carrier. Any firm furnishing commercial transportation as a public service under rates prescribed by lawful authority. This includes railroad, bus, airplane, or ship.

Government. Transportation facilities, owned and operated, leased and operated, or chartered by the United States Government, including aircraft on loan to or owned by an Aero Club, for transportation on land, water, or in the air. This includes bulk space procured by contract or charter for exclusive use of the Government.

Government-Furnished Automobile. For the purposes of this Volume, the term Government-furnished automobile includes an automobile which is owned by an agency, an automobile which is assigned or dispatched to an agency on a rental basis from a GSA interagency motor pool, or an automobile which is leased by the Government for 30 days or longer from a commercial firm.

Government-Contract Rental Automobile. A Government-contract rental automobile is an automobile furnished by a commercial firm under the provisions of the General Services Administration (GSA) Federal Supply Schedule contracts.

Privately Owned Conveyance. For the purpose of mileage reimbursement, a privately owned conveyance is any aircraft, automobile, or motorcycle used by a traveler to perform official travel which:

1. is either owned by or on loan to the traveler, or
2. has been hired or rented by the traveler, but its use as a special conveyance has not been authorized or approved under the provisions of par. C2101-2.

A common carrier, or a conveyance owned by the Government, is not considered to be a privately owned conveyance.

Usual Mode Of. As used in this Volume, a mode of transportation that is authorized, required, or

furnish ~~Approved For Release 2003/03/06 : CIA-RDP86-00101R000100070005-2~~ transportation accommodations) for usual travel by direct route. These modes include common carrier facilities within continental United States or commercial and Government transportation facilities overseas that would be used for travel by the most direct usually traveled route between points of official travel.

TRANSPORTATION REQUEST. A written request of the United States Government on The U.S. Government Transportation Request (Standard Form 1169) for the purpose of procuring from a common carrier, transportation, accommodations, or other services chargeable to the Government. TRs can be issued and used only for official travel. They cannot be issued or used for personal travel on a reimbursable basis.

TRAVEL, INVITATIONAL. Authorization for travel of a person not a Government employee in connection with certain assignments directly related to activities and in the interest of the Department of Defense.

TRAVEL, OFFICIAL. Authorized travel and assignment solely in connection with business of the Department of Defense or the Government. Official travel may be performed within or in the vicinity of a permanent duty station; to or from place of actual residence; to, from, or between permanent duty stations; and to, from, at, and between places of temporary duty assignment. The term "travel" relates not only to movement from place to place but also includes entitlement to the use of quarters

~~Approved For Release 2003/03/06 : CIA-RDP86-00101R000100070005-2~~ and reimbursable expenses incidental to travel, subject to conditions and limitations in this Volume. Travel and delays for personal reasons or convenience, by circuitous route, by modes of transportation other than authorized or approved, for additional distances, or to places in connection with personal affairs is not official travel. Nonofficial travel status affects allowances, reimbursements, and pay status.

TRAVEL ORDER. Authorization in writing for official travel authenticated by a travel order-issuing official. Travel orders include authorizations, approvals, limitations, instructions, and special conditions relating to travel and assignment.

TRAVEL REQUEST. A written request for travel authorization to provide the basis for issuing a travel order. A travel request will include information regarding personnel, mission, pertinent dates or assignment period, mode(s) of transportation, allowances, limitations, special approval or instructions, justifications if necessary, and fund and accounting citation.

TRAVEL STATUS. The elapsed period of time from the beginning to the ending of official travel in compliance with the authority in a travel order. This includes incidental waiting time en route for transportation connections and delays en route beyond the control of the traveler.

UNITED STATES. The 50 states, District of Columbia, territories, and possessions.

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1846 Miscellaneous Expenses

Baggage in excess of the weight or size carried free by transportation companies is excess baggage.

When less than first-class air accommodations are used, excess baggage is hereby authorized in an amount to bring the total weight to that carried free on first-class service. When a journey begins or terminates outside the continental United States and an airline will not carry without charge 66 pounds (30 kilograms) of baggage, excess baggage is hereby authorized in an amount to bring the total weight to 66 pounds.

Other excess baggage charges will be allowed only when authorized or approved. When practical, authorized excess baggage should be shipped as freight (see 6 FAM FTR, Appendix A, chapter 1, part 9).

1847 Receipts

Receipts for all allowable cash expenditures in amounts in excess of \$15, plus any applicable tax, are required. If impracticable to furnish receipts, an explanation must be provided in the travel voucher. Mere inconvenience in obtaining receipts is insufficient justification.

1850 PER DIEM

1851 Per Diem Allowance

A per diem allowance, in lieu of payment of actual subsistence expenses, may be authorized or approved for an employee in connection with the performance of official travel. Subsistence expenses include all charges for meals, lodging, personal use of room during daytime, baths, all fees and tips to waiters, porters, baggagemen, bellboys, hotel maids, dining room stewards and others on vessels, hotel servants in foreign countries, telegrams and telephone calls reserving hotel accommodations, laundry, cleaning, and pressing of clothing, fans and fires in rooms, and transportation between places of lodging or business and places where meals are taken, except as otherwise provided in section 1841o.

The term "lodging" does not include accommodations on airplanes, trains,

or steamers, and these expenses are not subsistence expenses.

1852 Maximum Rates

1852.1 Authorization

Unless the travel authorization specifies a lower per diem rate, the maximum rate permitted by law or regulation for the locality and the method of travel involved applies. Only such per diem allowances as are justified by the circumstances affecting the travel are authorized and if the authorizing officer determines that the maximum per diem rate is in excess of that required to meet necessary allowable expenses, a lower rate of per diem is specified in the travel authorization.

1852.2 Within the Limits of the Continental United States

For travel in the continental United States the maximum per diem rate will be that specified in 6 FAM 153.1. When lodging is required away from the employee's duty station, computation of per diem entitlement is in accordance with 6 FAM 154.3c(2)(a and b).

1852.3 Within Other Nonforeign Areas

For travel within Alaska, Hawaii, the Commonwealth of Puerto Rico, the Canal Zone, or the territories or possessions of the United States, at a rate not in excess of the rate prescribed by the Department of Defense, included for information purposes in Appendix B, 6 FAM 190 FTR.

1852.4 Within a Foreign Area

For travel within a foreign area, at a rate not in excess of the rate prescribed by the Secretary of State and published in the Standardized Regulations (Government Civilians, Foreign Areas).

1852.5 Travel Beyond the Limits of the Continental United States

See 6 FAM 190 FTR, Appendix A, chapter 1-7.2b and c.)

1853 Reductions in Per Diem Allowances

See 6 FAM 154.2-1 and 154.2-2.)

1853.1 While on Temporary Duty

For travel assignments involving duty for extended periods at temporary duty stations where travelers are able to secure lodging and meals at lower costs, the per diem rate should be adjusted downward.

1854 Basis of Payment

1854.1 Computation of Basic Entitlement

See 6 FAM 190 FTR, Appendix A, chapter 1-7.6d.)

1854.2 Per Diem Computation Rules

(See 6 FAM 190 FTR, Appendix A, chapter 1-7.6.)

1854.3 International Dateline

In computing per diem in cases where the traveler crosses the international dateline (one hundred and eightieth meridian), actual elapsed time is used rather than calendar days.

1855 When Per Diem Is Payable

1855.1 General Application

Per diem is payable only when an employee is away from employee's permanent duty station on official business. Per diem is not allowed an employee either at permanent duty station or at place of abode from which employee commutes daily to official station.

1855.2 Delays and Interruption En Route

a. For Reasons Beyond Traveler's Control

Per diem is allowed when interruptions occur on an official trip because of authorized stop-over or because of circumstances beyond the control of the traveler. The travel voucher must contain an explanation of the circumstances necessitating such delays. Period awaiting onward transportation in excess of 12 hours at transfer points in the United States, and 24 hours at transfer points abroad, must also be explained in the travel voucher.

b. For Traveler's Personal Convenience

When, for traveler's personal convenience or through taking of leave, there is interruption of travel or deviation from the direct travel route, the per diem allowed will not exceed that which would have been incurred on uninterrupted travel by a usually traveled route. (See section 1832.)

1855.3 Travel by Privately-Owned Trailer

Per diem may be allowed when the traveler uses a travel trailer or camping vehicle while on temporary assignment away from traveler's official station.

1855.4 Interruptions of Per Diem Entitlement

(See 6 FAM 190 FTR, Appendix A, chapter 1-7.5.)

1855.5 Return to Official Station

At the discretion of the administrative officials, a traveler may be required to return to traveler's official station for nonworkdays. In cases of voluntary return of a traveler for nonworkdays to official station, or place of abode from which traveler commutes daily to official station, the reimbursement allowable for the round-trip transportation and per diem en route will not exceed the per diem and any travel expense which would have been